SALE OF SEPARATE ARRACK SHOPS FOR 1895-96

No. 15941A—*R. F.* 210-92, *dated the* 29*th March* 189

1. Notice is hereby given that the right of selling Arrack in each of the separate shops in the tracts specified in the subjoined schedule, for the twelve months beginning with 1st July 1895 and ending with 30th June 1896, will be put up to public auction on the dates and at the places named in the said schedule, by the Deputy Commissioner or other officer authorized by him.

2. Each bidder at the auction will deposit a sum of Rs. 60 or such other reasonable amount as may be fixed by the officer conducting the sale, previous to bidding. The shops will be knocked down to the approved highest bidder, subject to the formal confirmation by the Deputy Commissioner who will be at liberty to accept or reject the bid at discretion without assigning reasons for the same. Such formal confirmation will be tantamount to an acceptance of the bid. Parties intending to bid must attend either in person or by duly accredited agents.

3. As soon as the auction is completed, the deposits made by the unsuccessful bidders and not forfeited as hereinafter provided will be returned to them. As the auction proceeds, the person whose bid is accepted for each shop shall at once deposit a sum equal to $\frac{3}{4}$ths of a month's rent for that shop. Should he fail to do so, the deposit made by him under para 2 will be forfeited, the shop will at once be put up again on the above conditions, and he will be debarred from bidding again for the same or for any other shop.

4. Persons to whom shops have been knocked down, and who have made deposits as provided in paras 2 and 3 shall also, within seven days from the date of the auction, deposit such further sum as, with the first and second deposits, will make up an amount equal to two months' rent of each shop knocked down to them; and shall take out licenses and execute counterpart engagements, in the prescribed form, on the conditions hereinafter set forth. On the failure of any person to make the deposit, or to take out licenses or to execute counterpart engagements, as aforesaid, the shop or shops will be resold at the risk of such person, or if the auction hereby notified has already been completed, will be otherwise disposed of at the discretion of the Deputy Commissioner. In the case of purchaser's death after the confirmation of the sale, it will be binding on his heirs or assigns

5. Resales effected under para 4 will be at the risk of the defaulting bidder who will forfeit all gain; and in the event of a loss by resale, he will make good the deficiency between the total amount payable for the whole period under the terms of the original sale and the total amount payable by the successful bidder at the resale. In the latter case, the forfeited deposit will be deducted from the loss arising from the resale, and the remainder, if any, will be recovered from the bidder in the same manner as if it were an arrear of land revenue. Should, however, the forfeited deposit be greater than the loss by resale, the whole of such deposit will be credited to Government.

6. A statement showing the details of the consumption of arrack at each shop will be shown to the intending bidders at the time of sale. The amount of rentals and consumption of each shop for 1892-93, 1893-94 and 1894-95, is specified in the appended schedule.

7. The license to be taken out under para 4 above shall be subject to the following conditions, namely:—

(1) The privilege conferred by the license extends only to the sale of arrack of the strength of 20° Under-proof. But it shall not extend to the sale of double-distilled country spirits and other special liquors of whatever strength manufactured at the Government Central Distillery, Bangalore, and which the Foreign liquor shop-keepers alone are permitted to sell.

(2) The amount for which the privilege has been purchased shall be payable into the local Government Treasury in equal monthly instalments commencing from July 1895; each instalment shall be regarded as the rent for the month in respect of which it is payable. Each month's rent shall be payable on or before the 20th of the said month. If default is made, the Amildar shall declare by record in writing that the license is forfeited and resell the shop before the last day of the month. Failing payment of each monthly rent on or before the 20th of the said month the deposit made by the licensee of the two months rental shall be forfeited after adjustment of any deficits arising from such resale. The said deposit will be taken in adjustment of the demand for the last two months of the period for which the shop is held.

(3) The licensee shall purchase the arrack to be sold in his shop from Messrs. Parry and Co., who have been appointed Manufacturers of arrack and other country spirits to the State, at the rate of 10½ annas per gallon of 20° Under-proof delivered at the Distillery, or from a Bonded Depôt established under the sanction of Government. The arrack shall be sold to the public by the licensee at Rs. 5-5-0 per gallon of 20° Under-proof.

(4) The licensee of every shop in the Towns of Bangalore and Mysore shall pay a registration fee under the Municipal Regulation, at the rate of Rs. 180 per annum in advance for the period of the license for his shop; and he shall pay also a license fee of 4 annas per gallon on all arrack sold by him in excess of 55 gallons a month in each.

(5) The above rate to be charged by the Manufacturers and fees are in addition to the Excise duty which shall be prepaid as per following condition (6), at the prescribed rate of Rs. 4 per gallon of 20° Under-proof, before the removal of the arrack from the Bonded Depôt established under the sanction of Government.

(6) The licensee shall pay the above duty and price to a Shroff appointed on this behalf at the cost of the licensee, and located at the Bonded Depôt established for the convenience of the "separate shops," and shall obtain a receipt in the prescribed printed form. On production of such receipt and an indent for the supply of the arrack covered by the receipt, the Bonded Depôt-keeper shall issue the quantity of arrack equal to the amount of duty shown in the said receipt which will be forwarded to the Excise Commissioner's Office under the endorsement of the Bonded Depôt-keeper aforesaid, as to the date and hour when the arrack was issued. The Depôt-keeper aforesaid shall issue a pass in the prescribed form for the transport of arrack from the Bonded Depôt.

(7) The licensee shall use such measures as may from time to time be prescribed by Government, and provide himself with the printed forms of accounts and permits or passes for transport of arrack, which forms shall be purchased from local Excise officers.

(8) Resignations of shops in whole or part will be summarily rejected by the Deputy Commissioner.

(9) The licensee shall be bound by the rules in force, and which may be issued from time to time by Government.

(10) The remaining terms and conditions shall be as set forth in the prescribed license.

8. In case of any breach of the above conditions either by the licensee, or with his connivance and privity, by any person in his employment, or in the event of the licensee neglecting to open his shops or to carry on his business with due care and attention, it shall be competent to the Deputy Commissioner to impose upon the licensee a fine not exceeding Rs. 10 for every such breach or neglect, or at the option of the Deputy Commissioner to declare the money deposited with him forfeited, and to cancel the license and to resell the privilege at the risk of the licensee; and all loss thereby caused, together with the loss accruing to Government in consequence of the licensee not carrying on his business by opening his shop on 1st July 1895, shall be made good by him. When a farm is cancelled, the rent for the whole period of the farm shall become due at once, which shall be recovered together with all losses as if they were arrears of land revenue.

9. The penalties laid down in the last preceding clause shall not exempt the licensee or his employés from prosecution for any offence committed against the Excise laws or rules in force.

By order,

L. ANANTASAMI RAO, *Offg. Chief Secretary.*